IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2217 OF 2007
IN
SUIT NO. 2704 OF 2003

Smt. Sharifunisa wd/o. Saeed Ahmed & Ors. ..Plaintiffs
versus

Jameel Ahmed s/o. Mohammed Khalil & Ors. ..Defendants

Mr. Chaurasia i/b. Mr. A. M. Saraogi for the Plaintiffs.

Mr. Suresh P. Chaugule for the Defendant No.1.

CORAM : A. M. KHANWILKAR, J.
DATE : 27TH JULY, 2007.

P.C.

1. As the Plaintiffs have filed affidavit stating that the order dated 19.1.2007 has become final in as much as no appeal against the said decision has been carried by the Defendants. It is but appropriate that the direction in the said order is taken to its logical end.

2. Mr. Suresh Chaugule appearing for the Defendant No. 1 states that the Defendants are

uncontactable. In that, intimations sent to the Defendants for the last 6-7 occasions have remained unreplied. In the circumstances he would like to take discharge from the proceedings. It is open to the Defendants to take discharge from the proceedings if so advised. However, that process need not detain the passing of the order on the Notice of Motion.

3. For the reasons recorded earlier, in the interest of justice, the Notice of Motion is made absolute in terms of prayer clause (a).

(A.M. KHANWILKAR, J.)